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REMARKS***Status of the Application:***

Claims 1-28 are the claims of record of the application. Claims 1, 2, 4-9 and 16-24 have been rejected and claims 3, 10-15 and 25-28 have been objected to and would be allowable if written in independent form.

In Paragraph 1 of the Office Action, the Examiner has pointed out some informalities. Applicants have amended the claims as suggested by the Examiner to overcome the objections pointed out. Applicant(s) thank the Examiner for pointing these out.

Double Patenting Rejection

In paragraph 6 of the Office Action, claims 1-2, 4-9 and 16-24 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of co-pending Application No. 10/791,305 in view of Rombult et al. (U.S. 5,738,014).

To overcome this rejection, Applicants are including a Terminal Disclaimer, and the appropriate fee, to disclaim any term beyond that of co-pending Application No. 10/791,305.

Claim Rejections -35 USC § 102 and 35 USC § 103

In paragraph 4 of the office action, claims 1-2, 4-6, 9, 16-19 and 24 have been rejected under 35 USC 103(a) as unpatentable over Rombult et al. (U.S. Patent 5,738,014) in view of Seto et al. (U.S. Patent 4,878,799). Rombult et al. teach an apparatus and method as recited with the exception of each compartment being movable to a loading horizontal position at the loading vertical position as recited.

In paragraph 7 of the office action, claims 3, 10-15, and 25-28 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Furthermore, after overcoming the Double Patenting rejection of paragraph 6 of the Office Action, claims 7,8, and 20-23 would also be allowable if rewritten in a form including all of the limitations of any rejected base claim and any rejected intervening claims.

Only in the interest of advancing prosecution, Applicants have overcome the Double Patenting rejections, and incorporated into remaining claims material that the Examiner has deemed makes the claims allowable over the cited prior art.

IN particular, Applicants have incorporated into claim 1 the material from claim 3 that was deemed by the Examiner to be allowable in combination the material of claim 1. Claim 3 is cancelled.

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Thus, claim 1 and any claims that depend thereon are allowable.

Applicants have also amended claims 7 and 8 to be independent claims that include material from rejected base claims and any intervening claims.

Applicants have also incorporated into claim 16 the material from claim 21 that was rejected under the doctrine of Double Patenting (Obviousness-type), such rejection overcome by the Terminal Disclosure included herewith. Claim 21 is cancelled.

Thus, claim 16 and any claims that depend thereon are allowable.

Applicants have also amended claims 20-23, and 25 to be independent claims that include material from rejected base claims and any intervening claims.

Therefore, all remaining claims were either only rejected for the Double Patenting, such rejection overcome by the Terminal Disclaimer, or have been deemed to be allowable by the Examiner.

Conclusion

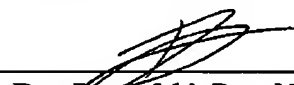
Claims 1, 2, 4-20, and 22-28 are the claims after amendment.

The Applicants believe the Double Patenting rejections have been overcome, and that all other claims have been amended to avoid the Examiner's rejections under 35 USC 103. The remaining claims (as amended) are allowable. Action to that end is respectfully requested.

If the Examiner has any questions or comments that would advance the prosecution and allowance of this application, an email message to the undersigned at dov@inventek.com, or a telephone call to the undersigned at +1-510-547-3378 is requested.

Respectfully Submitted,

July 6, 2005
Date


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